

## **REMARKS**

Claims 1-5 are pending and under consideration in the above-identified application.

In the Office Action of May 28, 2010, claims 1-5 were rejected.

With this Amendment, claim 1 is amended and claim 5 is cancelled.

### **I. Objections to the Claims**

Claim 5 was objected to for various informalities.

With this amendment, claim 5 is cancelled. Accordingly, the Applicants respectfully request the withdrawal of this objection.

### **II. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 1-2 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Brunner* (U.S. Pat. Pub. No. 2005/0221528) (“*Brunner*”) in view of *Murakami* (U.S. Pat. No. 4,838,088) (“*Murakami*”) or *Cady* (U.S. Pat. No. 4,262,399) (“*Cady*”) and *Wolf* (vol. 1, pages 331-332) (“*Wolf*”).

Claims 3-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable *Brunner* in view *Murakami* or *Cady* in view of *Zurn* (U.S. Pat. No. 6,621,134) (“*Zurn*”) and in further view of *Schmid* (U.S. Pat. No. 6,761,068) (“*Schmid*”).

Applicant respectfully traverses this rejection.

In relevant part, independent claim 1 recites a step of performing a film-formation treatment by sputtering at a reduced pressure following the etching of a sacrifice layer so as to form a sputtering layer that seals a penetrating hole and is also formed into at least one wire.

The Examiner correctly asserts that *Brunner* fails to disclose or even fairly suggest a step of performing a film-formation treatment by sputtering at a reduced pressure following a sacrifice-layer etching so as to form a sputtering layer that seals the penetrating hole and is

formed into a wiring layer. See, Office Action of May 28, 2010 at Page 4. Instead, Bruner merely discloses filling a penetration with a metal film. See, 2005/0221528, Para. [0046].

*Murakami* and *Cady*, similarly, fail to disclose or even fairly suggest a step of performing a film-formation treatment by sputtering at a reduced pressure following a sacrifice-layer etching so as to form a sputtering layer that seals the penetrating hole and is formed into at least one wire. Instead, *Murakami* discloses a step of filling a perforation with a conductive thin film, followed by a step of forming an insulating layer on the conductive thin film and then forming metal leads on the insulating film after the other two steps are performed. See, U.S. Pat. No. 4,838,088, Col. 4, l. 20-43. *Cady* merely discloses sealing a hole in a layer using a conductive material without forming any wires. See, U.S. Pat. No. 4,262,399, Col. 2, l. 47-69. This cannot be fairly viewed as sealing a penetrating hole and then forming a wiring, because both references merely disclose a step of filling a penetrating hole using a conducting film **without forming wires.**

*Wolf*, *Zurn* and *Schmid* fail to disclose anything pertaining to performing a film-formation treatment by sputtering at a reduced pressure following the sacrifice-layer etching so as to form a sputtering layer that seals the penetrating hole and is formed into at least one wire.

Therefore, because *Brunner*, *Murakami*, *Cady*, *Wolf*, *Zurn* and *Schmid* and any combination of them fails to disclose or even fairly suggest every element of claim 1, the rejection cannot stand. Since claims 2-5 depend, either directly or indirectly, from claim 1, they are allowable for at least the same reasons.

### **III. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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